

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN H. FLOYD

v.

**PENNSYLVANIA BOARD OF
PROBATION AND PAROLE**

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CIVIL ACTION

NO. 20-5610

ORDER

NOW, this 9th day of July, 2021, upon consideration of the petition for writ of *habeas corpus* under 28 U.S.C. § 2254 (Doc. No. 2), the response to the Petition, the Report and Recommendation filed by United States Magistrate Judge Elizabeth T. Hey (Document No. 13), and no objections to the Report and Recommendation having been filed,¹ and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Elizabeth T. Hey is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**; and
3. There is no probable cause to issue a certificate of appealability.

/s/ TIMOTHY J. SAVAGE J.

¹ Although the time to file objections to the Report and Recommendation was extended to June 28, 2021 at the petitioner's request, none were filed.